

# **ARTICLE 11**

## **SITE DESIGN STANDARDS**

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## 11.1. OUTDOOR STORAGE AND SOLID WASTE STORAGE STANDARDS.

### 11.1.1. RESIDENTIAL DISTRICTS.

**11.1.3.1.** In the RE, RL, RM-1, RM-2, RV and RC districts, open storage of junk, salvage or equipment including but not limited to scrap metal, used boxes, or crates, used appliances, salvaged furniture or glassware, salvaged automobiles or parts shall be prohibited. All Nonconforming open storage areas as described above, which are not found in compliance with the requirements of this Section shall either cease and desist or meet full compliance standards no later than three (3) years following the effective date of this Ordinance or applicable amendment hereto provided however, that no existing open storage area may be expanded or enlarged except in accordance with the provisions herein.

Notwithstanding the above provisions, any open storage areas that were subject to, and have complied with, the amortization provisions of the previous Kannapolis Zoning Ordinance shall not be subject to this Section 11.1.1.1.

**11.1.3.2.** Open storage of materials for non-residential uses within a residential zoning district shall conform to the standards of § 11.1.2 Non-residential Zoning Districts.

### 11.1.4. NON-RESIDENTIAL ZONING DISTRICTS.

#### 11.1.4.1. <sup>(2)</sup>General Provisions.

In the AG, B-1, CC, C-1, C-2, CD, I-1 and I-2 districts, outdoor storage areas shall comply with the following, except that allowed under §§ 11.1.2.2-11.1.2.4.

**11.1.4.1.1.** Outdoor storage areas shall be prohibited within 50 feet of any public street right-of-way and within <sup>(1)</sup>one hundred (100) feet of residential uses and/or residential zoning districts. This provision shall not apply to nursery stock in non-residential zoning districts.

<sup>(1)</sup>All measurements used in the enforcement of this Section shall be depicted on a major or minor site plan as required for development approval.

**11.1.4.1.2.** <sup>(2)</sup>Outdoor storage areas shall be screened by a Type C <sup>(1)</sup>(opaque) bufferyard in accordance with the Article 7 of this Ordinance. This provision shall not apply to Junk/Salvage Yards (see § 5.13).

**11.1.4.1.3.** Except for integral units (see Definitions, Appendix A), openly stored items shall not project above the screening. Notwithstanding this requirement, no item may exceed the building height restrictions in Table 4.7-1 for the zoning district within which the item is located.

**11.1.4.1.4.** No open storage area shall be maintained in the required front yard area, except that allowed by §§ 11.1.2.3 and 11.1.2.4.

**11.1.4.1.5.** Fences of chain link, sheet metal and barbed and razor wire, with or without slats of wood or metal inserted, shall not be considered as sufficient materials to screen outdoor storage areas or operations.

**11.1.4.1.6.** <sup>(3)</sup>Enclosures shall be constructed of durable, weather-proof, permanent materials such as concrete or stone block, metal, vinyl, wood or similar material. The applicant shall ensure that the choice of materials and color are consistent and compatible with those of the principal building(s) on the site.

**11.1.4.1.7.** All Nonconforming open storage areas as described above, which are not found in compliance with the requirements of this Section shall either cease and desist or meet full compliance standards no later than three (3) years following the effective date of this Ordinance or applicable amendment hereto provided however, that no existing open storage area may be expanded or enlarged except in accordance with the provisions herein.

Notwithstanding the above provisions, any open storage areas that were subject, to and have complied with, the amortization provisions of the previous Kannapolis Zoning Ordinance shall not be subject to this Section 11.1.2.1.6.

(1) City Council approved 4/23/2004

(2) City Council approved 10/25/2004

(3) TA-2009-05 – City Council approved 5/11/2009

**11.1.4.1.8.** The provisions of this § 11.1.2 shall not apply to open storage associated with agricultural uses as permitted in Table 4.6-1 of this Ordinance.

**11.1.4.2. Solid Waste Storage Areas.**

**11.1.4.2.1.** Solid waste dumpsters or other large containers for solid waste storage shall be confined in an enclosed area that is screened on all sides. A solid waste enclosure, large enough to confine solid waste items and dumpster(s), should be of solid opaque construction, six foot high with latching gates providing access. The applicant shall indicate on the site plan the choice of materials and color so that the Administrator can determine that they are consistent and compatible with those of the principal building(s) on the site. No solid waste storage area shall be located in any front building yard setback as described in Table 4.7-1 or any street yard or buffer yard as set forth in Article 7.

**11.1.4.2.2.** Enclosures shall be constructed of durable, weather-proof, permanent materials such as concrete or stone block, metal, <sup>(1)</sup>vinyl, wood or similar material. The applicant shall ensure that the choice of materials and color are consistent and compatible with those of the principal building(s) on the site.

**11.1.4.2.3.** <sup>(1)</sup>Fences of chain link, sheet metal and barbed and razor wire, with or without slats of wood or metal inserted, shall not be considered as sufficient materials to screen outdoor storage areas or operations.

**11.1.4.2.4.** Solid waste dumpsters or other large containers for solid waste storage shall have a lid to minimize the potential contamination of stormwater runoff.

**11.1.4.2.5.** The provisions of this § 11.1.2.2 shall apply to all non-residential development, multi-family residential developments and/or single-family attached residential developments, which do not use roll-out containers for curbside solid waste pickup.

**11.1.4.3. Outdoor Display of Vehicles.**

**11.1.4.3.1.** For outdoor display of vehicles for sale, see § 5.6 of this Ordinance.

**11.1.4.3.2.** For outdoor storage of vehicles in need of major repair, such vehicles shall be located within an area screened from view from a public right-of-way or an adjacent property line. Storage of vehicles in need of minor repair are exempt from the requirements of this section. Minor repair shall include vehicles scheduled for immediate repair and shall be stored on-site for no more than five working days (unless evidence can be provided to the Administrator to indicate circumstances, such as part availability, prevent repair in within the five day period).

**11.1.4.4. Retail Standards.**

**11.1.4.4.1.** The provisions of this section shall apply to any retail use that includes the sale or storage of merchandise in an open or unenclosed area except as provided in § 11.1.2.3. The provisions of this section § 11.1.2.4 shall not apply to the CC district or to sidewalk vendors permitted under the temporary use regulations of § 5.22.7 of this Ordinance.

**11.1.4.4.2.** No booths, stalls, or materials on display may be located within any required setback area.

**11.1.4.4.3.** Outdoor display areas shall not be located in such a manner as to displace or otherwise interfere with any required parking spaces and maneuvering areas.

**11.1.4.4.4.** <sup>(1)</sup>Outdoor storage areas shall be prohibited within 30 feet of any public street right-of-way and within one hundred (100) feet of residential uses and/or residential zoning districts. This provision shall not apply to nursery stock in non-residential zoning districts.

<sup>(1)</sup>All measurements used in the enforcement of this Section shall be depicted on a major or minor site plan as required for development approval.

**11.1.4.4.5.** Non-enclosed areas for the storage and sale of seasonal inventory shall be:

- permanently defined on an approved site plan;
- completely screened from view from a public street right-of-way or an adjacent residential zoned parcel with walls and/or fences; and
- comprised of materials, colors, and design of screening walls and/or fences which shall

conform to those used as in the principal structure. If such areas are to be covered, then the covering shall conform to the exposed roofing colors on the building.

#### **11.1.5. MIXED USE ZONING DISTRICTS.**

**11.1.5.1.** The provisions of this section shall apply to the PUD, TND, and PID districts. Outdoor storage within these districts shall be allowed as follows.

**11.1.5.1.1.** Outdoor storage of commercial products or materials shall be shown on a site specific development plan approved as part of a conditional use permit. No outdoor storage of commercial products or materials shall be allowed unless included in an approved conditional use permit.

**11.1.5.1.2.** The provisions of this § 11.1.3 shall not apply to any existing use(s) that is considered a legal nonconforming use as set forth in § 13.1 of this Ordinance, provided however, that no existing outdoor storage area may be expanded or enlarged except in accordance with the provisions herein.

**11.1.5.1.3.** Screening of outdoor storage areas shall be required as follows:

**11.1.5.1.3.1.** Within a mixed use development, a Type C buffer shall be required between residential uses and outdoor storage areas containing commercial products or materials;

**11.1.5.1.3.2.** A Type C buffer shall be required along the perimeter of the mixed use development where abutting public street rights-of-way or residentially zoned or developed property in order to screen outdoor storage areas containing commercial products or materials.

## 11.2. MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS.

### 11.2.1. PURPOSE.

The purpose of this Section is to provide reasonable design standards for multi-family residential developments and single-family attached residential developments which:

- provide design flexibility;
- accommodate affordable housing for current and future residents of the City;
- protect the health, safety and general welfare of the general public and occupants of the units;
- protect the property values of surrounding dwelling units;
- promote a pedestrian-friendly, walkable streetscape; and
- provide for aesthetically pleasing development patterns.

### 11.2.2. APPLICABILITY.

**11.2.2.1.** The provisions of this Section apply to multi-family residential developments or single-family attached residential developments as permitted by Table 4.6-1 of this Ordinance.

**11.2.2.2.** <sup>(1)</sup>Single-family detached homes, duplexes on individual lots, and triplexes on individual lots are exempt from the standards of this Section.

**11.2.2.3.** <sup>(2)</sup>The provisions of this section shall not apply to developments within the CC Center City District.

### 11.2.3. RULES OF CONSTRUCTION.

For purposes of computing the number of dwelling units to determine applicability of the standards of this Section, the number of existing or proposed dwelling units within any tract of land plus all existing or proposed Multi-family Residential Dwellings on any adjacent property under Common Ownership shall be counted.

### 11.2.4. BULK AND DENSITY STANDARDS.

Notwithstanding any provision of § 4.7 of this Ordinance to the contrary, the lot size, lot width, setback, and building separation standards shall conform to Table 11.2-1.

### 11.2.5. OFF-STREET PARKING AND ACCESS STANDARDS.

**11.2.5.1.** All projects shall conform to the parking requirements of Article 8.

#### 11.2.5.2. Access to Public Street(s).

Developments with 40 or more dwelling units should have direct primary access on a major or minor thoroughfare as shown on the Thoroughfare Plan.

<sup>(3)</sup>Developments with 40 or more dwelling units without direct primary access on a major or minor thoroughfare shall require a Traffic Impact Analysis (TIA) to determine project feasibility.

Developments for one hundred 100 dwelling units are encouraged to have two (2) direct entrances onto at least one Major and/or Minor Thoroughfare as shown on the Thoroughfare Plan.

#### 11.2.5.3. Off-street Parking.

**11.2.5.3.1.** No parking space shall be located in the required setbacks, except for the rear setbacks.

**11.2.5.3.2.** No off-street parking space shall be located closer than ten (10) feet to any residential building wall.

#### 11.2.5.4. Accessway/Driveway Design.

**11.2.5.4.1.** No driveway shall be located closer than fifteen (15) feet to any wall of a residential building.

**11.2.5.4.2.** All proposed drives shall be improved in accordance with Article 8.

**11.2.5.4.3.** For developments of forty (40) or more dwelling units, a divided ingress-egress driveway with a landscaped median for all entrances from public streets shall be provided for all developments. Median design shall be in conformity with the standards in Appendix C of this Ordinance.

### 11.2.6. COMMON OPEN SPACE.

#### 11.2.6.1. Applicability.

Common open space areas shall be required in

(1) City Council approved 11/24/2003

(2) TA-2008-05 – City Council 7/28/2008

(3) TA-2014-02 – City Council 11/24/2014

accordance with Table 11.2-1 except as provided below.

**11.2.6.2.** The Administrator may waive up to fifty percent (50%) of the open space requirement if all units within the development are located within 1,000 feet of a public park as measured along a public sidewalk, trail or bikeway.

**11.2.6.3.** The open space requirements of this Section shall not apply to multi-family residential developments which are second floor units above first floor commercial development, or to any residential developments in the CC zoning district which are above the first floor.

**11.2.6.4. Open Space Characteristics.**

Land designated as open space shall be maintained as active open space and may not be separately sold, subdivided, or developed except as provided below. Open space shall be required in accordance with Table 11.2-1.

**11.2.6.4.1. Open Space Provisions and Maintenance Plan Required.**

Any areas reserved as open space shall be indicated on a site plan. An Open Space Provision and Maintenance Plan shall be submitted as a part of the application for development approval including the project phasing schedule. This plan shall designate and indicate the boundaries of all open-space areas required by this Ordinance. The plan shall:

- Designate areas to be reserved as active open space. The specific design of open-space areas shall be sensitive to the physical and design characteristics of the site.
- Specify the manner in which the open space shall be perpetuated, maintained, and administered.

**11.2.6.4.2. Spacing and Dimensional Limitations.**

In order to ensure that all designated open space has suitable size, location, dimension, topography and general character, and proper road and/or pedestrian access, as may be appropriate, to be usable open space, the following standards shall apply.

- Open space provided pursuant to this requirement shall be accessible to all residents of the development and shall measure at least thirty (30) feet across its narrowest dimension.

**11.2.6.4.3. Use of Stormwater Detention Basins.**

Retention areas or detention basins which are required as part of this Ordinance shall not qualify as an open space area unless fifty percent (50%) or more of the active and usable area is above the ten (10) year storm and is designed for multiple uses and the area(s) conforms to the requirements of subsections 1 and 2 below.

**11.2.6.4.3.1.** Retention or detention areas shall meander through the subdivision as a greenbelt, rather than as a single basin. Retention areas shall be improved so as to be useable and accessible. Retention areas shall not be inundated so as to be unusable for their designated recreational purposes.

**11.2.6.4.3.2.** Retention or detention areas shall be given a natural character and shall be constructed of natural materials. Terracing, berming and contouring is required in order to naturalize and enhance the aesthetics of the basin. Basin slopes shall not exceed a three-to-one slope.

**11.2.6.5. Preservation of Open Space.**

**11.2.6.5.1.** Open-space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed. Open-space areas may be owned, preserved, and maintained by the owner(s) of the development or a homeowner's association (in the case of a single-family attached development) which assumes full responsibility for its maintenance. The restrictive covenants shall provide that, in the event that any private owner of open space fails to maintain same according to the standards of this Ordinance, the City Council may, following reasonable notice and demand that deficiency of maintenance be corrected and direct appropriate City staff, or a contractor to and direct appropriate City staff, or a contractor to enter the open space to maintain same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the open space.

**11.2.7. PEDESTRIAN FACILITIES.**

**11.2.7.1.** Sidewalks shall be constructed within the interior of the development to link residential buildings with other destinations such as, but not

limited to: parking, adjoining streets, mailboxes, trash disposal, adjoining sidewalks or greenways and on-site amenities such as recreation areas. These interior sidewalks shall be constructed in accordance with the standards for sidewalks as set forth in Appendix C of this Ordinance.

**11.2.7.2.** Sidewalks, in combination with curb and gutter, shall be required adjacent to all public streets which provide access to the development. Such improvements may be subject to road widening and other related improvements. Road widening, sidewalks, curb and guttering, utility relocations, and all other related improvements shall be the responsibility of the developer and/or owner. Design standards shall be subject to review and approval by the City of Kannapolis Director of Transportation. Design standards for pedestrian upfits to state maintained roads shall be subject to review and approval by the City of Kannapolis Director of Transportation and the NC Department of Transportation.

**11.2.7.3.** A shelter shall be constructed at the location(s) (including at the perimeter of a development site) where a public school bus(es) pick-up/drop-off children as established by the appropriate School system. The shelter shall be constructed to a minimum size to accommodate the average number of children that may be awaiting pick-up. The shelter shall be included in the sidewalk design to ensure adequate access.

#### **11.2.8. DIMENSIONAL AND DENSITY STANDARDS.**

**11.2.8.1.** The maximum impervious surface coverage (impervious surface ratio) shall conform to the standards as set forth on Table 4.7-1 for the appropriate zoning district. Multi-family or Single-family attached developments that are allowed (by right or as conditional use) in non-residential districts shall use the dimensional and density standards of Table 4.7-1 as set forth for the RC district. Where a Watershed Overlay District (§ 4.16) exists, the more restrictive requirements shall apply.

**11.2.8.2.** The minimum spacing between buildings is 20 feet, plus one (1) foot for each one (1) foot of building height in excess of 30 feet.

#### **11.2.9. BUILDING DESIGN.**

**11.2.9.1.** In order to provide interesting and aesthetically attractive multi-family developments and to avoid monotonous, “barracks”-style buildings, the following standards shall apply:

**11.2.9.2.** Multi-family buildings shall have a multifaceted exterior form in which articulated facades are combined with window and door placements, as well as other detailing, to create an interesting and attractive architectural design which is comprised of more than flat walls with minimal features.

**11.2.9.3.** Buildings shall be arranged on multi-family sites in patterns that are not strictly linear. Adjacent buildings shall not be located in continuous straight lines. Limited linear building placements, which are part of an arrangement to define common space such as a courtyard, are acceptable.

**11.2.9.4.** Entryways shall face a street, sidewalk, or common area. Buildings shall not face the rear of other buildings on the same lot or parcel.

**11.2.9.5.** <sup>(1)</sup>All buildings within the CD-R District shall be designed with at least 40% of the overall façade consisting of masonry components.

#### **11.2.10. UTILITIES AND LIGHTING.**

**11.2.10.1.** All utility lines shall be located underground.

**11.2.10.2.** Outdoor area lighting shall be provided for security. Such lighting shall be shielded to direct light downward and not into dwelling units on, or adjacent to, the multi-family site. Lighting shall be provided to illuminate the intersections of primary interior driveways and building entryways.

#### **11.2.11. LANDSCAPING REQUIREMENTS**

A landscaping plan shall be submitted which shall incorporate all applicable landscaping requirements as set forth in Article 7 of this Ordinance.

#### **11.2.12. RECYCLING FACILITIES.**

Multi-family residential developments or single-family attached residential developments shall be required to provide a container(s) for the collection of recyclable materials. Such a container shall be subject to approval by the City’s Director of Environmental Services.

**11.2.13. UNIT OWNERSHIP.**

Developments in which property is proposed to be conveyed in Unit Ownership shall comply with the North Carolina Unit Ownership Act. Common areas, parking, landscaping, open space, and driveway facilities shall be under common ownership.

**11.2.14. <sup>(1)</sup>SIGNAGE.**

Signage for multi-family dwellings and/or single-family attached dwellings shall be subject to the sign standards as set forth in Article 12 and, more specifically, Table 12.1-4 (regardless of what zoning district the development may be located within).



**Table 11.2-1 Design Standards for Multi-family or Single-family Attached Dwelling Projects**

<b>Lot Size</b>	Not applicable – see “Density”.
<b>Density</b>	see Table 4.7-1 (Article 4 )*
<b>Lot Width and Depth</b>	see Table 4.7-1 (Article 4)*
<b>Front Setback or Street Side Setback</b>	Developments of less than 40 dwelling units: see Table 4.7-1 (Article 4)* Developments of 40 or more dwelling units: 50 feet, except that the minimum front setback may be reduced to 20 feet if all required off-street parking is located at the rear of the building(s).
<b>Interior Side Setback</b>	20 feet
<b>Rear Setback</b>	20 feet
<b>Separation between Buildings</b>	20 feet, plus one (1) foot for each one (1) foot of building height in excess of 30 feet
<b>Common Open Space</b>	see Table 6.5-1 (Article 6). (Note: multi-family developments allowed in non-residential districts shall comply with the open space standards for residential districts in Table 6.5-1.)
<b>Maximum Building Length</b>	200 feet

\*Note: Multi-family or Single-family attached developments that are allowed (by right or as conditional use) in non-residential districts shall use the dimensional and density standards of Table 4.7-1 as set forth for the RC district.

## 11.3. STANDARDS FOR SHOPPING CENTERS AND SUPERSTORES.

### 11.3.1. APPLICABILITY.

The following standards and guidelines are applicable to any Retail Use Structure, or group of Structures primarily devoted to Retail Activities, which have a total in excess of twenty-five thousand (25,000) square feet of Gross Floor Area. Freestanding structures with less than 25,000 square feet of gross floor area that are developed along perimeter outparcels of a shopping center are not subject to the supplemental standards of this § 11.3.

### 11.3.2. SITE DESIGN.

**11.3.2.1. Outdoor Space.** Shopping centers and superstores shall provide at least one outdoor space, or site amenity, to beautify the site in addition to the minimum landscaping requirements of Article 7. The outdoor space or site amenity is intended to enhance the vehicular and pedestrian entryways to the site and the buildings on the site. An “outdoor space” or “site amenity” may include, but is not limited to, the following:

- A public plaza or courtyard on the site;
- A landscaped median for the driveway(s) leading into the site and landscaped pedestrian areas; or
- A public square or park on the site, or on adjacent land.

**11.3.2.2. Design Features.** The outdoor space or site amenity shall be improved with features which may include, but are not limited to:

- Landscaping
- Seating walls
- Benches
- Fountains
- Clock towers

**11.3.2.3. Building Setbacks.** The minimum setback for any building facade shall be seventy-five (75) feet from the nearest perimeter property line. Perimeter property lines are those that establish the boundaries of the development, including any and all perimeter outparcels.

**11.3.2.4. Transit Stops.** Each development shall provide an off-street transit bus stop for customers and employees if the development is located on an established or planned public transit route.

### 11.3.3. LANDSCAPING.

A landscaping plan shall be submitted which shall incorporate all applicable landscaping requirements as set forth in Article 7 of this Ordinance.

### 11.3.4. PEDESTRIAN CIRCULATION.

**11.3.4.1.** Sidewalks shall be constructed within the interior of the development to link buildings with other destinations such as, but not limited to:

- parking,
- adjoining streets,
- adjoining sidewalks, or
- adjoining developments or amenities where appropriate pedestrian connections can be reasonably accomplished.

These interior sidewalks shall be constructed in accordance with the standards for sidewalks as set forth in Appendix C of this Ordinance.

**11.3.4.1.1.** Sidewalks, in combination with curb and gutter, shall be required adjacent to all public streets that provide access to the development. Such improvements may be subject to road widening and other related improvements. Road widening, sidewalks, curb and guttering, utility relocations, and all other related improvements shall be the responsibility of the developer and/or owner. Design standards shall be subject to review and approval by the City of Kannapolis Director of Transportation. Design standards for pedestrian upfits to state maintained roads shall be subject to review and approval by the City of Kannapolis Director of Transportation and the NC Department of Transportation.

### 11.3.5. OUTDOOR STORAGE.

Standards for outdoor storage and/or display shall be regulated in accordance with § 11.1 of this Article.

### 11.3.6. BUILDING DESIGN.

#### 11.3.6.1. Facades.

**11.3.6.1.1.** In order to provide interesting and aesthetically attractive retail developments and to avoid monotony in design, the following

standards shall apply:

- Facades greater than 150 feet in length, measured horizontally, shall incorporate wall plane projections or recesses to create an interesting and attractive architectural design which is comprised of more than flat walls with minimal features.
- Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.

#### **11.3.6.2. Roofing.**

**11.3.6.2.1.** The following standards are intended to foster variations in roof lines to soften and reduce the massive scale of large buildings. Roofs shall have the following features:

- Parapets concealing flat roofs and rooftop equipment, such as HVAC units from public view. The height of such parapets shall not exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatment and shall not be of a constant height for a distance of greater than 150 feet.
- Three or more roof slope planes.

#### **11.3.6.3. Exterior Materials and Color.**

**11.3.6.3.1.** Predominant exterior buildings materials shall be high quality materials, including but not limited to brick, wood, stucco, sandstone, other native stone, or tinted, textured, or concrete masonry units.

**11.3.6.3.2.** Facade colors shall be low reflectance, subtle, neutral or Earth Tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.

**11.3.6.3.3.** Building trim and accent areas may feature brighter colors, including primary colors.

**11.3.6.3.4.** No more than 50% of exterior building materials shall include smooth-faced concrete block, smooth-faced tilt-up concrete panels or pre-fabricated steel panels.

#### **11.3.6.4. Entryways.**

**11.3.6.4.1.** Entryway design elements and variations shall provide orientation and aesthetically pleasing character to the building. The following standards identify desirable entryway design features. Each principal building on a site shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

- canopies or porticos
- overhangs
- recesses/projections
- arcades
- raised corniced parapets over the door
- peaked roof forms
- arches
- outdoor patios
- display windows
- architectural details such as tile work and moldings which are integrated into the building structure and design
- integral planters or wing walls that incorporate landscaped areas and/or places for sitting

#### **11.3.6.5. Mechanical Appurtenances.**

**11.3.6.5.1.** To the greatest extent possible, mechanical appurtenances shall be located within the structure. External mechanical appurtenances such as heating and air conditioning equipment shall be screened from public view and finished to match the colors of adjacent building materials.

#### **11.3.7. PARKING STANDARDS.**

Off-street parking and vehicular standards shall be governed by Article 8 of this Ordinance.

#### **11.3.8. <sup>(1)</sup>COMPREHENSIVE SIGN PACKAGE OPTION.**

As an option to the sign standards as set forth in Article 12 of this Ordinance, Shopping Centers and/or Superstores subject to the provisions of this Section 11.3 shall be allowed to submit an application for a Comprehensive Sign Package. Applications for Comprehensive Sign Packages shall be reviewed as a Conditional Use Permit in accordance with the procedures as set forth in Section 3.5 of this Ordinance. The Comprehensive Sign Package should include the all proposed permanent signage for the development and must show any proposed signage

that exceeds that which is permitted under the standards of Article 12. In developing the signage package, the applicant is not limited to any dimensional regulations, except that the overall concept should:

- give consideration towards establishing a visually continuous theme throughout the development
- design all signage to be of compatible scale with the proposed buildings/site

## **11.4. DESIGN STANDARDS FOR ZERO LOT LINE DEVELOPMENTS.**

### **11.4.1. PURPOSE.**

The purpose of this Section is to provide reasonable design standards for detached single family dwelling development with zero lot lines. In a zero lot line development, houses are shifted to one side of the lot. This provides for greater usable yard space on each lot. These developments require that planning for all of the house locations are done at the same time. Because the exact location of each house is predetermined, greater flexibility in site development standards are possible while assuring that the single-family detached character of a neighborhood is maintained.

distance of less than ten (10) feet between residential structures.

### **11.4.7. SUBDIVISION PLAT NOTES**

The reduced setbacks shall be pre-determined and shall be clearly denoted on the preliminary subdivision plat and final plat.

### **11.4.2. APPLICABILITY.**

Zero lot line developments are permitted by right in the following zoning districts: AG, RE, RL, RM-1, RM-2, RV and RC. Zero lot line developments shall conform to the design standards of Table 11.4-1 and as set forth in this § 11.4.

### **11.4.3. EAVES.**

The eaves on the side of a house with a reduced setback may project a maximum of 18 inches over the adjacent property line. In this case, an easement for the eave projection shall be recorded on the deed for the lot where the projection occurs.

### **11.4.4. MAINTENANCE EASEMENT.**

An easement to allow for maintenance or repair is required when the eaves or side wall of a house are within four (4) feet of the adjacent property line. The easement on the adjacent property shall provide at least five (5) feet of unobstructed space between the furthestmost project of the structure and be wide enough to allow five (5) feet between the eaves or side wall and the edge of the easement.

### **11.4.5. PRIVACY.**

If the side wall of the house is on the property line, or within three (3) feet of the property line, windows or other openings that allow for visibility into the side yard of the adjacent lot are not permitted. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, are permitted

### **11.4.6. BUILDING SEPARATIONS**

In no case shall the reduced setbacks result in a

**Table 11.4-1 Design Standards for Zero Lot Line Developments**

<b>Lot Size</b>	see Sect. 4.7
<b>Density</b>	see Sect. 4.7
<b>Minimum Frontage on a Public Street</b>	Less than 40 units: see Sect. 4.7 40 or more units: 80 feet
<b>Lot Width</b>	See Sect.4.7 (except in Cluster Developments, refer to Sect. 4.8)
<b>Front Setback or Street Side Setback</b>	see Sect. 4.7 (except in Cluster Developments, refer to Sect. 4.8)
<b>Rear Setback</b>	20 feet (except in Cluster Developments, refer to Sect. 4.8)
<b>Separation between Buildings</b>	10 feet
<b>Common Open Space</b>	as required per Article 6 Subdivision Regulations and/or § 4.8 Cluster Development

## 11.5. SUPPLEMENTAL DESIGN STANDARDS FOR CENTER CITY (CC) DISTRICT.

### 11.5.1. SCOPE.

In addition to all other design and improvement regulations within this Ordinance, sites and buildings within the CC District are regulated in accordance with specific standards as listed below. The standards of this section shall not apply to any industrial use or residential single or two family structures.

### 11.5.3. DESIGN CRITERIA.

**11.5.3.1.** In order to promote pedestrian friendly development, Parcels within the CC District shall be exempt from the minimum off-street parking spaces as set forth in Article 8 of this Ordinance except that lots within the CC district that have frontage along Dale Earnhardt Blvd./Loop Road shall be subject to the minimum off-street parking standards of Article 8. For large lots with frontage that have a lot depth of 200 feet or greater, any development beyond the 200 feet shall be exempt from the off-street parking requirements of Article 8.

**11.5.3.2.** The following off-street parking design requirements shall apply except that lots within the CC district that have frontage along Dale Earnhardt Blvd./Loop Road are exempt from the provisions of this Section 11.5.2.2. However, for large lots with frontage along Dale Earnhardt Blvd./Loop Road that have a lot depth of 200 feet or greater, any development beyond the 200 feet shall be subject to the standards as set forth below.

- All buildings shall have their principal entrance opening to a public or private<sup>(1)</sup> street, square, plaza, or sidewalks. Where a principal building entrance opens to a private street, square, plaza, or sidewalks, it shall be accompanied by a public access easement. The principal entrance shall not open onto an off-street parking lot.
- No off-street surface parking shall be permitted in front of a Principal Structure.<sup>(1)</sup>
- Loading/unloading areas shall be located only in the rear or side yard.

**11.5.3.3.** Pedestrian access from the public sidewalk, street right-of-way or driveway to the principal structure shall be provided through an improved surface.

**11.5.3.4.** The first floors of all buildings shall be designed to encourage and to complement pedestrian-scale activity by use of windows and doors arranged in scale proportionate to the building elevations in which they occur. Not less than not fifty percent (50%) of the length of building façade having frontage on a public or private<sup>(2)</sup> street shall be composed of windows and/or doors. Basic exterior building materials shall consist of horizontal wood siding and/or brick and shall as to the maximum extent as possible be consistent with architectural style of neighboring structures. Similarly, roof slopes, roofing materials and exterior colors shall be architecturally conforming with existing neighboring structures.

**11.5.3.5.** <sup>(1)</sup>No building setbacks are required for lots in the CC District, except that a minimum 10' building setback shall be maintained from the Dale Earnhardt Blvd./Loop Road

**11.5.3.6.** Canopies, awnings, and similar appurtenances may be constructed over the entrance to any building, and/or over windows subject to the following criteria:

- Such appurtenances shall be constructed of material designed to complement the streetscape.
- Any such appurtenance may extend from the building to up to eighty percent (80%) of the width of the sidewalk area in front of the building or nine (9) feet, whichever is less, subject to any encroachment permit which may be required by the North Carolina Department of Transportation, or the City.
- In no case shall any such facility extend beyond the curb line of the street, nor shall it interfere with the growth or maintenance of street trees, or maintenance of street lights or street signs.
- A minimum overhead clearance of eight (8) feet from the sidewalk shall be maintained.

**11.5.3.7. Use Regulations.** All newly constructed buildings, except single-family detached dwellings, shall devote the first floor area to retail, office and/or service uses, as listed in Table 4.6-1. Such buildings shall include said uses along not less than 50% of

(1) City Council approved 9/23/2002

(2) TA-2015-05 – City Council Approved 11/23/2015

frontage where abutting the streets as designated below:<sup>(1)</sup>

- West A Street, west/south side only, between Walnut Street and Oak Avenue
- West A Street, both sides, between Oak Avenue and Main Street (including the private street section)
- West B Street, both sides (including the private street section)
- West D Street, east/north side only
- West 1<sup>st</sup> Street, both sides
- Chestnut Avenue, both sides
- Juniper Street (private street), both sides
- North Main Street, east side only, between Southern Avenue and 1<sup>st</sup> Street
- South Main Street, both sides, between, 1<sup>st</sup> Street and D Street
- Oak Avenue, both sides, between 1<sup>st</sup> Street and D Street
- Oak Avenue Mall Drive (private street), both sides
- Pine Street, both sides
- Vance Street, both sides
- Walnut Street (private street), both sides
- West Avenue (public and private street sections), both sides
- Within an approved TND – Traditional Neighborhood Development

New buildings with frontages along streets other than those listed above shall not be subject to the design criteria as set forth in this Section 11.5.2.7. Residential dwellings shall be permitted as set forth in Table 4.6-1.

**11.5.3.8.** In order to promote pedestrian activity and to avoid the impacts of traffic crossing sidewalks, no auto-oriented use(s) shall be located within four hundred (400) feet of another auto-oriented use, as measured from the exterior boundaries of the buildings, or not more than one shall be located along any single block frontage, which ever is less. For purposes of this subsection, “auto-oriented uses” shall mean and refer to the following: drive-through window facilities including those for automated tellers, banks, cleaners, liquor stores; and restaurants; fuel sales; shopping centers; vehicle sales; auto mechanical repair; car wash; gasoline service station; and quick lubrication.

Exception. Lots within the CC district that have frontage along Dale Earnhardt Blvd./Loop Road are exempt from the provisions of this Section 11.5.2.8, except that large lots with frontage along Dale Earnhardt Blvd./Loop Road that have a lot depth of 200 feet or greater, any development beyond the 200 feet shall be subject to the standards as set forth in this Section 11.5.2.8.



## 11.6. SUPPLEMENTAL DESIGN STANDARDS FOR CAMPUS DEVELOPMENT (CD) DISTRICT.

### 11.6.1. SUPPLEMENTAL USE REGULATIONS.

**11.6.1.1.** Retail establishments and commercial service uses (including restaurants; social, recreational, and cultural facilities, and day care facilities) as permitted in Table 4.6-1 shall be subject to the following requirements:

- No retail or commercial service use or establishment may exceed (or occupy) more than 70,000 square feet of gross leasable floor area. <sup>(1)</sup>Exceptions may be made for developments located within one mile of Interstate 85, whereas up to two retail or commercial uses or establishments may occupy up to 200,000 square feet of gross leasable floor area.
- No more than 30 percent of any property or group of properties may be used for retail or commercial service uses or establishments,
- Automobile and truck repair and related manufacturing establishments shall be limited exclusively to such activities related to professional auto racing.
- Utilities substations other than individual transformers shall be screened as set forth in Article 7 Landscaping and Buffering.

**11.6.1.2.** Structures and uses required for operation of a public utility or performance of a governmental function are permitted, provided no uses involving extensive storage, or with storage as the principal purpose shall be permitted.

### 11.6.2. DIMENSIONAL REQUIREMENTS.

**11.6.2.1. Minimum Size.** The minimum parcel size for submitting a site plan or subdivision for review in the CD district shall be 20 acres of contiguous property except that the site may include more than one owner and more than one recorded lot provided that the total property equals or exceeds 20 acres and the site plan incorporates the entire project site. Rezonings to the CD district for property less than 20 acres may be requested provided that any proposed site plan will equal 20 acres or more.

**11.6.2.2. Exception.** Parcels which are less than 20 acres but are at least one (1) acre shall be permitted as a Conditional Use provided that any property less than 20 acres shall have been a lot of record at the time of the adoption of this ordinance or shall have been rendered with less than 20 acres due to purchase of part of the land by a government agency (e.g., new road). In reviewing such requests, the Planning and Zoning Commission shall consider the project's relationship to adjacent CD-zoned properties, developed or undeveloped.

### 11.6.3. DESIGN STANDARDS

**11.6.3.1.** Sites in CD Districts may be divided by streets, alleys, rights-of-way, or easements, but shall be so located and arranged as to permit a unified design for the overall development

**11.6.3.2.** Common, accessible open space shall be required for all CD district sites, whether subdivided, or not. The open space shall be pedestrian oriented and include such amenities as park benches, walking trails and gazebos. Parking or vehicular access within these areas shall be prohibited. The open space must comprise at least <sup>(1)</sup>8% of the gross project area which may include buffer requirements. No additional open space shall be required for individual building sites within a Campus Development project other than the required buffers and setbacks.

**11.6.3.3.** Five (5) foot sidewalks shall be included on both sides of all new interior access streets and parking area designs. Sidewalks may be constructed at the time of development or may be phased in over a period of several years as portions of a project are developed.

**11.6.3.4.** All CD projects shall have access to at least one major or minor thoroughfare or connection to an existing approved site having such access where Site Plan and/or Subdivision approval has been previously granted.

**11.6.3.5.** All new interior streets shall be built in conformance with Article 10. Where practical, all such roads shall be designed to ultimately connect to adjacent, undeveloped property that is also zoned

CD to allow for a connected, continuous street system when the adjacent property develops.

**11.6.3.6.** All building sites and/or buildings within any Campus Development project shall be accessed on interior streets, not on thoroughfares or collectors. Exception to this provision is offered where a lot of record exists at the time of this amendment.

**11.6.3.7.** In general, the plan shall provide a unified and well-organized arrangement of buildings, service areas, parking, pedestrian, and landscaped common areas providing for maximum comfort and convenience of visitors and employees with a minimum of conflicts with vehicles. More specifically, the following pedestrian design requirements shall apply to all development in the CD District:

**11.6.3.7.1.** Individual building sites within CD developments shall include provisions for pedestrian-scale amenities such as benches, picnic tables, courtyards, plazas, water attractions and trash receptacles. These enhancements are essential to creating an efficient and functional environment as well as promoting a "sense of place." Such area(s) may include covered malls for general pedestrian use, exterior walkways, outdoor seating areas, and the like where the facilities are available for common use by employees and visitors. Required open space, buffer areas and setback yards as well as improved deck, patio and roof areas may be used to meet this requirement.

**11.6.3.7.2.** All buildings or building clusters within the development shall be connected with linkages other than roads (sidewalks, bikeways and walking paths). Unless topographic or other physical constraints exist, these linkages shall be provided between adjacent sites whether developed or undeveloped. Pedestrian access may be provided at any suitable locations within the district, but shall, where practicable, be separated from vehicular access points in order to reduce congestion, marginal friction, and hazards, except where signalization is used in such a manner as to control pedestrian and vehicular movements safely.

**11.6.3.7.3.** Loading and maintenance areas shall be so located and arranged as to prevent

interference with pedestrian movement within the site. All loading shall be from the rear or side of the building, but not facing a public street.

**11.6.3.7.4.** All on-site utilities (electrical, telephone, etc) shall be located underground.

**11.6.3.7.5.** Paving materials in pedestrian areas (including crosswalks and sidewalks) shall only include brick, concrete (aggregate exposed finish), concrete pavers, brick pavers and similar materials.

#### **11.6.4. LANDSCAPING BUFFERING AND SCREENING REQUIREMENTS**

Developments in the CD district shall comply with the provisions of Article 7 and the following:

- All CD projects must provide for the installation of a median-type entranceway for all entrances on major or minor thoroughfares. The median shall be grassed and suitably landscaped and conform to the design standards of Article 10 and Appendix D.
- Developments shall utilize existing topography such as hills, ridges and berms to screen parking and maintenance areas to the maximum extent possible.
- <sup>(1)</sup>Developments with outdoor storage, as permitted in Table 4.6-1, shall comply with the requirements of Article 11.1

#### **11.6.5. ARCHITECTURAL STYLE AND APPEARANCE REQUIREMENTS.**

These criteria are not intended to restrict imagination, innovation or variety, but rather to help focus on design principles that will result in creative and cohesive approaches to architecture and building design.

**11.6.5.1.** Building designs in the CD District shall promote a diversity in style while striving to define a distinct character and maintain a high quality development standard. New buildings shall be built sensitive to the scale, form and proportion of other buildings in the same project. A human scale shall be achieved at entrances to all buildings through the creative use of windows, doors, canopies and columns. In the application of provisions of this Section, the Administrator may require the submittal of photographs and/or architectural renderings.

**11.6.5.2.** Buildings shall include similar architectural styles but should not be identical throughout the development. All sides of an individual building shall be treated in an architecturally similar manner. More specifically, at least two of the following three “unifying elements” must be presented in each building (including accessory buildings and those buildings located on outparcels) and to the greatest extent practical, in other architectural features of the development (walls, fences, signs, etc.):

**11.6.5.2.1.** Building Materials. If selected, the dominant material (and its color) must be stated in writing with the Site Plan submittal. Such materials shall apply to at least 30% of each ground mounted signs as well.

**11.6.5.2.2.** Colors. If selected, the dominant color or pattern of colors must be stated in writing with the Site Plan submittal. A maximum of three colors may be designated as the unifying element but the maximum number of colors throughout the development are not limited.

**11.6.5.2.3.** Architectural Features. If selected, the dominant architectural feature(s) must be stated in writing with the Site Plan submittal. These features include but are not limited to: roof treatment (style, color and material), façade treatments or building form (overhangs, canopies, arcades, protected walkways, entrance treatments).

**11.6.5.3.** Quality Materials. Building materials shall be of a high quality. No building elevation may be covered (exposed) with sheet or corrugated aluminum, iron or steel, plain concrete, plain concrete block, exterior panelized plywood, including foundation materials. Except, however, such materials may be used as secondary exterior finish materials if they cover no more than 10 percent of the surface area. The buildings may consist of any of the following materials: utility brick, standard brick, stucco, synthetic stucco, colored split-faced block, glass, stone, tile or other similar high quality materials. Buildings designed for planned expansion may use architectural metal panels on the wall(s) to be removed for expansion of the building. Awnings should be constructed of canvas or a similar material.

**11.6.5.4.** Where there is an exterior alteration to an

existing building, the exterior finish materials on the portion of the building being altered or added must visually match the appearance of those on the existing building. In such cases, the requirements of § 11.6.5.3 shall not apply. However, if the exterior finishes and materials on the existing building do not meet the above standards, any material that meets the above standards may be used.

**11.6.5.5.** The use of unusual shapes, colors or other characteristics that would cause a building to create aesthetically unpleasant visual disharmony with other buildings in a CD district development, shall be avoided.

**11.6.5.6.** If several entrances are located in one building, similar treatment of each entrance, materials and windows should be provided.

**11.6.5.7.** All roof-mounted equipment, including HVAC systems, satellite dishes and other communication equipment, must be screened from adjacent street or parking area views in one of the following ways (solar heating panels are exempt from this standard):

- A parapet as tall as the tallest part of the equipment;
- A screen around the equipment that is as tall as the tallest part of the equipment; or
- The equipment is set back from the street-facing perimeters of the building three feet for each foot of height of the equipment.

**11.6.5.8.** To avoid the visual monotony created by large, blank building elevations, the elevation must be separated by a projection or structural relief such as:

- Constructing a porch with a roof,
- Incorporating fascias, canopies, arcades, or other multidimensional design features to break up large wall surfaces on their street facing elevations,
- Setting part of the facade back at least three feet from the rest of the façade
- Creating a visually distinct ground floor,
- Providing for changes in material or texture,
- Installing a row of windows on the building's street facing elevation.

**11.6.6. NON CONFORMING USE PROVISIONS**

Bona Fide Farms – Existing bona fide farms or agri-businesses in the CD zoning district may be operated on property so designated by Cabarrus County or Rowan County as of the time of the effective date of this ordinance. Such farms or agri-businesses may continue in their current state and with their existing level of activity. Such farms or agri-businesses shall be permitted to expand to the maximum extent permitted under the requirements of this district on the same property or adjacent property (also having the bona fide farm designations). New or expanded agri-business operations on property not having a bona fide farm designation shall not be permitted. Agri-business operations include agricultural products, materials, and equipment servicing and sales; storage and/or processing of agricultural products and/or animals; medical and/or technical support services; and similar activities. Bona-fide farms which cease to qualify as such may return to active farming and may continue as farms as if they had never ceased operating. However, once a bona fide farm ceases to qualify as such, and the property is developed for other non-farm uses permitted in the CD District, it may not be re-established as a bona fide farm.

other feasible alternatives to locating the drive-thru window and/or stacking lanes in the front or side yards.

**11.6.7. <sup>(1)</sup>RESTAURANTS W/DRIVE-THRU SERVICE**

Restaurants w/drive-thru service shall be permitted as a conditional use in the CD zoning district. The conditional use permit will be reviewed by the Board of Adjustment and meet the requirements of § 3.5.3 for approval. Additionally, the following findings must be made:

- a. The project site includes provisions for pedestrians per § 11.6.3.7.1, such as outdoor seating areas including benches and/or tables. On-site pedestrian connections are made via sidewalk to the adjacent streets or greenways.
- b. Drive-thru service is not the primary function of the restaurant, but instead secondary to the business. Indoor service and seating provided.
- c. Drive-thru service windows and stacking lanes are discouraged in the established front yard of the principle building, or in an established side yard if it abuts a public street. In circumstances such as corner lots where such requirements are determined as not feasible or impractical, the applicant must provide evidence that there are no

**Table 11.6-1 Design Standards for Campus Development Projects**

<b>Lot Size</b>	20 acres minimum, see §§ 11.6.2.1 and 11.6.2.2
<b>Density</b>	NA
<b>Lot Width and Depth</b>	see § 4.7
<b>Front Setback or Street Side Setback</b>	see § 4.7
<b>Interior Side Setback</b>	see § 4.7
<b>Rear Setback</b>	see § 4.7
<b>Separation between Buildings</b>	20 feet, plus one (1) foot for each one (1) foot of building height in excess of 30 feet
<b>Common Open Space</b>	<sup>(1)</sup> 8 percent of total area

## **11.7. SUPPLEMENTAL DESIGN STANDARDS FOR LIGHT INDUSTRIAL (I-1) DISTRICT.**

### **11.7.1. SCOPE.**

In addition to all other design and improvement regulations within this Ordinance, sites and buildings within the I-1 District are regulated in accordance with specific standards as listed below.

### **11.7.2. CRITERIA.**

The following design elements shall be promoted in order to minimize the impacts of industrial development on the surrounding community and to enhance the appearance for industrial development in an I-1 zone:

- Loading and unloading areas shall not be not visible from any public street. Screening of such areas shall be required in accordance with Article 7. If such areas face a parcel which is zoned or developed residentially, the rear buffer shall be increased by fifty percent (50%).
- All noises, noxious odors, vibrations, emissions of smoke, dust, or gases shall be controlled so as not to be detrimental or cause a nuisance to nearby residential or commercial areas in conformance with the Industrial Performance Standards of this Ordinance.

### **11.7.3. RETAIL OPERATIONS IN AN I-1 ZONE.**

This section shall allow for the retail sale of items or products manufactured by the primary use subject to the limitation that retail operations may not exceed twenty percent (20%) of the gross floor area of the site. Standards of off-street parking shall apply to the retail use and the industrial use as set forth in Article 8.

## **11.8 <sup>(1)</sup>SUPPLEMENTAL DESIGN STANDARDS FOR CAMPUS DEVELOPMENT - RESIDENTIAL (CD-R) DISTRICT**

### **11.8.1 SUPPLEMENTAL USE REGULATIONS.**

**11.8.1.1** Residential uses allowed within the CD-R District (including condos, townhouses, and apartments), as permitted in Table 4.6-1 shall be subject to the following requirements:

- The residential development must accompany an approved CD development which is at least 60 acres or greater.
- Utilities substations other than individual transformers shall be screened as set forth in Article 7 Landscaping and Buffering.

### **11.8.2 DIMENSIONAL REQUIREMENTS.**

**11.8.2.1 Minimum Size.** The minimum parcel size for submitting a site plan or subdivision for review in the CD-R district shall be 15 acres of contiguous property except that the site may include more than one owner and more than one recorded lot provided that the total property equals or exceeds 15 acres and the site plan incorporates the entire project site. The total acreage of the CD-R development shall not exceed twenty percent (20%) of the acreage of the accompanying CD Development.

### **11.8.3 DESIGN STANDARDS**

**11.8.3.1** All residential developments within the CD-R District are subject to the design standards set forth in Article 11.6.

**11.8.3.2** CD-R projects must be designed and arranged such that they complement the overall CD project.

### **11.8.4 LOCATION**

**11.8.4.1** All CD-R projects must be located within a ½ mile proximity of the interstate (I-85).

**11.8.4.2** All CD-R projects must be centrally located within the CD development.